

### **Remarks/Arguments**

Reconsideration of this application is requested.

#### **Claim Status**

Claims 1-20 are pending. Claims 1, 2, 9, 10 and 17 are amended.

#### **Claim Rejections – Yasunobu**

Claims 1, 3, 5, 9, 11, 13 and 17-19 are rejected under 35 USC 102(b) as anticipated by Yasunobu (US 2002/0051259). Claims 2, 4, 6, 10, 12, and 14 are rejected under 35 USC 103(a) as obvious over Yasunobu.

According to applicant's invention, as recited in independent claims 1, 2, 9, 10 and 17, a color image transmitting device is provided with various pieces of information provided in the stored image data, which are not themselves image data. The various pieces of information are first extracted directly from the image data. Then, the extracted various pieces of information are converted into extracted image data and transmitted. This feature provides a color image transmitting device that attaches a cover page having non-image information extracted directly from the image data. The extracted information may be data such as the photograph creation time, photographer name, photographing device or the like (paragraphs 0009, 0023, 0025 and FIG. 4). Yasunobu does not disclose or suggest this novel feature.

Yasunobu discloses a display unit displaying a thumbnail image, reception information, and a detailed image on an LCD 3 (paragraph 0038). Various data, such as reception information, is received from a communication line and stored in storage 21. However, there is no disclosure or suggestion that the reception information is included in the image data. Yasunobu merely teaches that reception information is produced only after image data is received at a printer (paragraph 0039). Furthermore, a thumbnail image and deleted image are clearly types of image data and are therefore not applicant's claimed various pieces of information.

Independent claims 1, 2, 9, 10 and 17 are amended to emphasize this distinction. For example, claim 1 is amended as follows:

*...means for storing scanned image data, wherein the stored image data includes various pieces of information that are not image data...*

*...means for extracting the various pieces of information directly from the stored image data other than image data included in the stored image data...*

Since Yasunobu fails to disclose or suggest each and every element of claims 1, 2, 9, 10 and 17, it cannot anticipate or render obvious those claims or claims 3-6, 11-14, 18 and 19 dependent thereon. The rejections under 35 USC 102 and 103 in view of Yasunobu should accordingly be withdrawn.

#### **Claim Rejections – Boyd**

Claims 7, 8, 15, 16 and 20 are rejected as obvious over Yasunobu in view of Boyd (US 2002/0143762). In response, applicant traverses the rejections.

Claims 7, 8, 15, 16 and 20 depend from the independent claims and are allowable for the same reasons as discussed above for claims 1, 2, 9, 10 and 17. In particular, Boyd is cited for its relevance to time and date meta-data associated with a photograph (paragraph 0013). However, meta-data associated with a photograph does not disclose or suggest meta-data stored directly within a photograph since the photograph is provided to a database system before the meta-data is even produced (see FIG. 1). Thus, Boyd does not remedy the deficiencies of Yasunobu with respect to claims 1, 2, 9, 10 and 17.

For these reasons, the rejections of claims 7, 8, 15, 16 and 20 under 35 USC 103(a) should be withdrawn.

#### **Conclusion**

This application is believed to be in condition for allowance. The Examiner is invited to contact the undersigned to resolve any issues that remain after entry of this amendment.

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Any fees due with this response may be charged to our Deposit Account No.  
50-1314.

Respectfully submitted,  
HOGAN & HARTSON L.L.P.

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